

REMARKS

Claims 18-20 were pending in the above-identified application. Claims 1-7, 11-17 and 21-22 were previously cancelled and remain cancelled and claims 8-10 and 23-45 were previously withdrawn and remain withdrawn.

In the Office Action of December 23, 2008, claims 18-20 were rejected. With this Amendment, claim 18 is amended

I. Double Patenting Rejection of Claims

Claims 18-20 were rejected under the judicially created doctrine of provisional obviousness-type double patenting as being unpatentable over claims of U.S. Patent Application No. 11/277,461 in view of *Roosendaal et al.* (U.S. Pat. No. 6,731,360) in view of *Kubota et al.* (U.S. Pat. No. 6,771,334) in view of *Kitagawa et al.* (U.S. Pat. No. 6,404,469).

Since the rejection is provisional, no action is required because the application and claims are pending. Accordingly, Applicants respectfully request withdrawal of this rejection.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Roosendaal et al.* (U.S. Pat. No. 6,731,360) (“*Roosendaal*”) in view *Kim* (U.S. Pat. No. 6,570,634) (“*Kim*”).

Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Roosendaal et al.* (U.S. Pat. No. 6,731,360) (“*Roosendaal*”) in view *Kim* (U.S. Pat. No. 6,570,634) (“*Kim*”) and in further view of *Kubota et al.* (U.S. Pat. No. 6,771,334) (“*Kubota*”) and *Kitagawa et al.* (U.S. Pat. No. 6,404,469) (“*Kitagawa*”).

Applicant respectfully traverses both of these rejections.

In relevant part, independent claim 18 recites a method for manufacturing a liquid crystal display including the step of forming a retardation film on only one of the substrates.

This is clearly unlike *Roosendaal* which fails to disclose or even fairly suggest a method for manufacturing a liquid crystal display including the step of forming a retardation film on only one of the substrates. Instead, *Roosendaal* discloses forming an optical foil on one substrate and then forming **another optical foil on a second substrate**. See, U.S. Pat. No. 6,731,360, Col. 3, l. 51-65.

Nowhere do *Kim*, *Kitagawa* or *Kubota* disclose or even fairly suggest anything pertaining to a method for manufacturing a liquid crystal display including the step of forming a retardation film on only one of the substrates. *Kim* discloses an upper substrate with a quarter wave panel and a lower substrate with a quarter wave panel. See, U.S. Pat. No. 6,570,634, Col. 6, l. 64-Col. 7, l. 13. *Kubota*, similarly, discloses an upper substrate with a retardation film and a lower substrate with a retardation film. See, U.S. Pat. No. 6,771,334, Col. 10, l. 15-27. *Kitagawa* discloses a polarization layer which includes a retardation layer. See, U.S. Pat. No. 6,404,469, Col. 2, l. 36-42.

The second retardation layers in *Roosendaal*, *Kim* and *Kubota* are used to compensate for a phase shift which occurs when light passes through the first retardation layer. Nowhere do *Roosendaal*, *Kim*, *Kubota* or *Kitagawa* disclose or even fairly suggest the elimination of the phase shift cause by the first retardation layer. Accordingly, the combination of *Roosendaal*, *Kim*, *Kubota* or *Kitagawa* would not produce a light emitting device with a single retardation layer which compensates for the phase shift caused by light passing through the retardation layer.

As the Applicant's specification discloses, by providing a retardation film on only one of the substrates, the cell thickness and the cost of manufacturing are both reduced. See, U.S. Pat. Pub. No. 2004/0105059, Para. [0064]. Further, as the Applicant's have discovered, the use of a single retardation film on one of the substrates produces the unexpected result where the

thickness of the liquid crystal layer can be adjusted between the transmissive and reflective areas without adding another layer.

Therefore, because *Roosendaal, Kim, Kitagawa, Kubota* or any possible combination of them fails to disclose or even fairly suggest every feature of claim 18, the rejection of claim 18 cannot stand. Because claims 19 and 20 depend, either directly or indirectly, from claim 18, they are allowable for at least the same reasons.

III. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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